

Thomas A. Egan (TE-0141)  
Flemming Zulack Williamson Zauderer LLP  
One Liberty Plaza  
New York, New York 10006  
(212) 412-9500  
(212) 964-9200 (Fax)  
Attorneys for Defendant  
Apollo Enterprise Solutions, Inc.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

DEBT RESOLVE, INC.

Plaintiff,

v.

APOLLO ENTERPRISE SOLUTIONS,  
LLC,

Defendant.

AFFIDAVIT OF CHRISTOPHER  
IMREY IN SUPPORT OF  
DEFENDANT'S MOTION TO  
DISMISS FOR LACK OF  
PERSONAL JURISDICTION  
AND IMPROPER VENUE

[F.R.C.P. 12(b)(2) and 12(b)(3)]

Civil Action No. 07-103

**AFFIDAVIT OF CHRISTOPHER IMREY**

Christopher Imrey hereby declares:

1. I am the President and Chief Executive Officer of Apollo Enterprise Solutions, LLC ("Apollo"), the defendant in the above-captioned matter, and have held that or similar positions continuously since January, 2004. I have personal

knowledge as to all matters stated herein. I submit this declaration in support of Apollo's Motion to Dismiss.

2. Apollo provides enterprise-class, hosted solutions to primary creditors, collection agencies, debt buyers and legal recovery firms for Debtor Self-Payment and Self-Settlement (often referred to as Apollo's IDS system). Apollo's IDS system lets clients offer their debtors online debt-payment and debt-settlement options that reflect the debtors' current credit status. The Apollo IDS system allows its clients to offer debtors an unlimited number of payment or settlement options. Apollo's client is the creditor not the debtor.

3. Incorporated under the laws of Delaware, Apollo's principal place of business is in Irvine, California. Apollo does not maintain offices, facilities, local telephone listings, or bank accounts in New Jersey, and similarly, does not own or lease any real property or employ any persons in New Jersey. Apollo is not currently, nor has it ever been, qualified, authorized, or otherwise chartered, licensed or registered to conduct or do business in New Jersey.

4. Apollo has never designated anyone in New Jersey to accept legal service of process on its behalf.

5. Apollo does not direct any of its advertising at New Jersey residents for any of its products, including its IDS system. As a matter of fact, Apollo has never sold the alleged infringing IDS system that is the subject of this dispute to any New Jersey company or resident.

6. Apollo is a small company with a limited number of employees. It has only 4 executive officers, all of whom work in California. To the extent that the presence of Apollo officers and senior technical employees in New Jersey is

required for discovery, hearings or trial, litigation of this matter in New Jersey would impose a substantial burden upon Apollo and in all likelihood cause significant disruption of its operations.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 12, 2007 at Irvine, California.

  
Christopher Imrey